



"Glen Schwartz"
<gschwartz@mlerail.com>
02/16/2009 08:49 AM

To: Mazzie Talley/R7/USEPA/US@EPA
cc: Stephanie Doolan/R7/USEPA/US@EPA, Lynn
Slugantz/R7/USEPA/US@EPA
bcc:

Subject: RE: PCB Transformers

Mazzie-

Good morning.

I hope all is well.

Pursuant to your e-mail on 1-29-09, Compass Big Blue would like to submit the following responses to the comments you provided concerning the disposal of PCB transformers registered by GST Steel and disposed of by Compass Big Blue LLC ("Compass Big Blue"). The following are your comments followed by our response to each comment:

1. On each of the manifest reviewed, the generator's name and mailing address is Compass Big Blue LLC, 8166 Wilson Road, Kansas City, MO 64125. It is my understanding from you that GST Steel was in bankruptcy and the company, Compass Big Blue LLC brought all real property remaining on the sections of land being purchased. When asked if Compass Big Blue had a 761.65(b) storage area, you responded that if GST Steel had one it was part of the purchase. GST Steel had registered as a generator at 8116 Wilson Road, Kansas City, Missouri and was issued the PADS ID: MO0000031823. This is the same number used by Compass Big Blue LLC on the manifest for the PCB waste removed from the site. Compass Big Blue LLC was required by 40 CFR 761.205(f) to resubmit EPA Form 7710-53 to reflect the changes at the facility within 30 days of change of ownership of the property. The PADS system does not reflect that Compass Big Blue LLC made such a notification.

Response: As we discussed, Compass Big Blue acquired portions of the property and associated structures previously owned by GST Steel following its bankruptcy. Based on Compass Big Blue's review of EPA's database, it understands that GST identified itself as a generator of PCBs. However, Compass Big Blue has been unable to locate any information indicating whether GST had a 40 CFR 761.65(b) storage facility as part of its operations. As such, Compass Big Blue does not know if GST Steel notified EPA that it was a generator with an on-site storage facility or if it only notified as a generator.

As I informed you in my January 22, 2009 e-mail, all of the transformers located on or in the portions of the property and structures obtained by Compass Big Blue have been removed from the site and disposed of appropriately, either as individual transformers or as part of the cleanup of the vandalized area as discussed below. Compass Big Blue understands that one additional transformer is located on property owned by DECO (that property previously was owned by GST Steel) and, to our knowledge, that transformer is still active. Because all of the transformers on the portions of the former GST Steel property owned by Compass Big Blue have been removed from the site, Compass Big Blue does not have and does not currently need a 40 CFR 761.65(b) storage facility. That being said, if EPA believes it is necessary to correct EPA's records, Compass Big Blue is willing to submit Form 7710-53. However, it also would need to subsequently request that its generator status be marked as inactive because no transformers remain on the property owned by Compass Big Blue. Please let

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RCRA

me know if submitting the form is necessary to correct EPA's files.

2. Manifest number 003215247 JJK identifies K-COM TRANSPORT SVC. INC as the transporter using U.S. EPA ID Number IND984957563. K-COM TRANSPORT SVC. INC with U.S. EPA ID Number IND984957563 is registered as a RCRA transporter, but is not registered in the PADS system as having notified EPA as a transporter of PCB waste.

Response: When Compass Big Blue shipped the PCB waste from its cleanup of the vandalized area on manifest number 003215247 JJK, it was aware that K-COM Transport Services, Inc. ("K-COM") had an EPA Identification number and that it was licensed to transport wastes. According to information provided to Compass Big Blue by K-COM, Compass Big Blue understands that K-COM identified PCBs as one of the waste types to be covered by the license to transport waste that was issued to it by the State of Missouri. As such, Compass Big Blue was unaware that K-COM was not registered in EPA's database as a transporter of PCB wastes and believed K-COM had all required approvals to transport PCB waste when the PCB waste identified on manifest number 003215247 JJK was shipped from the site.

3. Manifest number 003215247 JJK, is the roll off used to transport the PCB waste from the area vandalized. This manifest does not show a date the PCB spill occurred which would be considered the out of service date for the waste being shipped.

Response: Compass Big Blue believes the vandalism that resulted in the PCB waste that was shipped on manifest number 003215247 JJK occurred at various times between late June and early August of 2007. As part of its cleanup of the vandalized area, Compass Big Blue did not observe any oil or liquid in the containment area around the transformer(s) inside the structure. Based on this, it appears that the transformer(s) may have been drained prior to vandalism and inactive. As such, Compass Big Blue does not believe a "spill" actually occurred and, even if it did, Compass Big Blue does not know if the material spilled actually contained PCBs and does not know the exact date when that material was spilled. However, out of an abundance of caution, Compass Big Blue treated the waste from the vandalized area as PCB waste. As such, Compass Big Blue does not have an exact date for a spill, assuming one actually occurred. However, the earliest possible out of service date associated a possible spill would have been June 20, 2007 which Compass Big Blue believes was the first day during which the vandalism occurred.

4. During our discussion on January 28, 2009, at the US EPA Region 7 office, you described an event which included vandalism of 2 or 3 transformers, you were not certain of the number of transformers involved, and the subsequent cleanup of the parts remaining from the transformer, contaminated concrete, and contaminated soil. When asked if a cleanup report had been developed, you were not for certain it had been developed which is required by both cleanup options in 40 CFR 761.61 and 40 CFR 761 Subpart G. These documents must be maintained with your annual records for 3 years. There was also no confirmation that sampling was done after the waste was removed to document that the cleanup operation had been completed properly and that all the PCB contamination was properly addressed. This concerns me when you speak of possibly selling the property to someone else without making certain any PCB contamination has been properly cleaned up. Another concern is the fact that you can not account for the exact number of transformer involved in the vandalism. Unless the transformer were

dismantled in such a way making it impossible to know the number of transformers involved in the vandalism, how can we be certain that all the transformers have been properly disposed of.

Response: To address the vandalism, Compass Big Blue removed the transformer(s) that had been vandalized as well as the structure containing the transformer(s), a metal structure that provided containment for the transformer(s), and all other materials in the structure (e.g., paper, etc.). At that time it was noted that no "free" oil was present. In addition, Compass Big Blue scraped the surface of the concrete pad located beneath the structure containing the transformer(s). Though Compass Big Blue did not and does not know if the vandalized transformer(s) contained PCBs, it shipped all of these materials off-site as PCB waste for disposal out of an abundance of caution.

As I mentioned during our January 28, 2009 discussion, I do not know the number of transformers that were vandalized. That being said, Compass Big Blue understands that 23 transformers were registered by GST Steel. Based upon our inspection of the portions of the former GST Steel property and the structures Compass Big Blue owns, 19 transformers were disposed of individually and the only other transformer(s) located on Compass Big Blue's property were in the vandalized area and included as part of the PCB waste shipped for disposal on manifest number 003215247 JJK. Therefore, Compass Big Blue has accounted for all the transformers located on the portions of the former GST Steel property it owns.

As previously stated, Compass Big Blue understands that there is one transformer located on former GST Steel property that currently is owned by DECO. Compass Big Blue does not know if that are any additional transformers that were registered to GST Steel located on former GST Steel property owned by other companies.

To verify that the cleanup of the vandalized area has been completed, Compass Big Blue expects to perform sampling of the concrete pad mentioned above and the soil by the concrete pad during the week of February 16. The records of this sampling, as well as description of the original cleanup, will be included in Compass Big Blue's annual records.

5. When asked about the annual records and the annual document logs which are required by 40 CFR § 761.180(a) to be compiled and maintained for 3 years, the response was vague, not affirmative, but rather a questioning look about what I was talking about. Within the annual records Compass Big Blue was required to maintain a copy of each manifest, each certificate of disposal and additional information about amount disposed within a particular year and the amount of PCBs remaining in use at the site.

Response: Compass Big Blue's records include documentation associated with the 19 transformers individually shipped off-site for disposal as well as for the PCB waste from the cleanup of the vandalized area. Compass Big Blue also will include in these records the description of the cleanup of the vandalized area and the results of the confirmation sampling as discussed above.

Because all of the transformers located on the portions of the former GST Steel property owned by Compass Big Blue have been disposed of, Compass Big Blue believes there are no PCB's remaining in use at the site.

I hope that this response effectively answers your questions. If you have any questions, please contact me at 773-619-4556.

Regards,

Glen Schwartz

-----Original Message-----

From: Talley.Mazzie@epamail.epa.gov [mailto:Talley.Mazzie@epamail.epa.gov]
Sent: Thursday, January 29, 2009 6:33 PM
To: Glen Schwartz
Cc: Doolan.Stephannie@epamail.epa.gov; Slugantz.Lynn@epamail.epa.gov
Subject: Re: PCB Transformers

Glen

Attached please find my comments on the manifests records from out January 28, 2009 meeting.

(See attached file: Comment on the manifest provided on January28 09..doc)

Please call if you have questions.
mazzie
913-551-7518

"Glen Schwartz"
<gschwartz@miller
ail.com>

01/22/2009 09:46
AM

Mazzie Talley/R7/USEPA/US@EPA To
Stephanie Doolan/R7/USEPA/US@EPA cc
PCB Transformers Subject

Mazzie-

Pursuant to my voice mail please note that CBB has identified and found shipping documentation for PCB transformer disposal on/at:

American Ecology:

- 4 Transformers 9-9-03
- 4 Transformers 9-9-03
- 4 Transformers 1-18-08

Clean Harbors

- 3 Transformers 2-13-04
- 2 Transformers 2-13-04

- 2 Transformers 2-13-04

EQ - Wayne Disposal

- 2-3 Transformers 12-6-07 (material was bulked for TSCA
subtitle C disposal due to vandalism and destruction of units)

DECO (Greg Short) - Still active

- 1 Transformer

Total - 22-23 Transformers Total.

The shipping documentation I have is fairly sizeable and can't be zip'd for e-mail.

If you can provide me with your mailing address I will package everything up for you.

Alternatively, I am planning to be in KC in the next few weeks and I would be happy to meet with you to go over all of the information. (I could be there as early as next week if this is a viable option).

Thank you again for your patience and working with us through this matter.

Regards,
Glen Schwartz

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